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ZONING BOARD OF APPEALS

Sherri Boivin, Board Secretary

NOTICE OF DECISION

A Public Hearing has been held with regard to the following petitions before the City of Newton Zoning Board of Appeals. The decisions were determined as follows:

- #2-06** from Bruce and Kathleen Baron, 361 Albemarle Road, Newton, MA, requesting a .3 foot variance from the side yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One. Petitioner proposes to demolish an existing two-car garage in the rear of the house and to construct a new attached two-car garage in the side yard, resulting in a side yard setback of 7.2 feet. **(Required side yard setback for old lots created prior to December 7, 1953 is 7.5 feet.)** The property is located in a Single Residence 3 district. **The petitioners' request for a variance from the side yard setback requirements was denied, 3-2.**
- #3-06** from Lizbeth Heyer and Michael Fogelberg, 25 Freeman Street, Auburndale, MA, requesting a 3.7 foot variance from the side yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One in order to construct a two car garage, resulting in a side yard setback of 3.8 feet. **(Required side yard setback for old lots created prior to December 7, 1953 is 7.5 feet.)** The petitioners' request for a variance from the side yard setback requirements was granted, subject to conditions, 5-0. Petitioner also requests a 6.0 foot variance from the front setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One in order to construct a front porch, resulting in a front setback of 19.0 feet. **(Required front setback for old lots created prior to December 7, 1953 is 25 feet.)** The property is located in a Single Residence 3 District. **The petitioners' request for a variance from the front yard setback requirements was granted, subject to conditions, 5-0.**

Any appeal of the above decision must be made to the Superior Court within twenty (20) days of its filing with the City Clerk in accordance with Section 17 of the Massachusetts General Law, Chapter 40A.

Decision numbers 2-06 and 3-06 were filed on April 7, 2006.